
OLR Bill Analysis

sSB 347

AN ACT CONCERNING THE STATE'S OPEN SPACE PLAN.

SUMMARY:

This bill requires the Department of Energy and Environmental Protection (DEEP) commissioner to update the state's open space plan at least once every five years, instead of as necessary. It expands the entities with which the commissioner must consult when updating the plan to include the agriculture commissioner, municipalities, and regional planning agencies.

The bill requires the commissioner, in consultation with all state agencies, to identify state-owned land that should be conserved and develop a plan to preserve it forever as open space land.

The bill requires the commissioner to report by December 15, 2012 to the governor and Environment Committee. The report must include (1) an estimate of how much state land is preserved as open space and (2) recommendations and cost estimates for establishing a system to accurately track open space land.

EFFECTIVE DATE: Upon passage

OPEN SPACE PLAN

By law, 21% of the state's land area must be held as open space land. The state's goal is for the state to hold 10% and municipalities, water companies, or nonprofit land conservation organizations (e.g., land trusts) at least 11% of the state as open space land. The bill specifies that "to acquire land" includes acquiring (1) land in fee simple (i.e., full ownership) and (2) conservation easements.

Under current law, the DEEP commissioner must consult with the Council on Environmental Quality (CEQ) and private nonprofit land conservation organizations to (1) prepare and update as necessary a

plan to meet the state's open space goal and (2) set an additional open space goal for municipalities and conservation organizations. The bill instead requires the commissioner to consult with the agriculture commissioner, CEQ, conservation organizations, municipalities, and regional planning agencies to prepare and update the plan at least once every five years. It removes the requirement that the DEEP commissioner set an open space goal for municipalities and conservation organizations.

The bill requires the open space plan to include:

1. timetables for the state to acquire land;
2. plans for managing the land;
3. an assessment of resources to be used for acquiring and managing land; and
4. the highest priorities for land acquisition, including wildlife habitats and ecological resources in the greatest need of immediate preservation, and their general location.

Current law requires the plan to include recommendations on an acquisition timetable, management of acquired land, available resources, and the acquisition and maintenance of open space land by municipalities and private entities.

STATE-OWNED LAND HELD BY STATE AGENCIES

The bill requires the DEEP commissioner, in consultation with state agencies, to identify state-owned land that is held by state agencies and valuable for conservation purposes. The commissioner must include in the state's open space plan a strategy for preserving such land in perpetuity as open space. He must consider the present and future needs of each agency when developing the strategy.

TRACKING OPEN SPACE

The bill requires the commissioner, by December 15, 2012, to report to the governor and Environment Committee:

1. an estimate of how many acres of state land the state, municipalities, water companies, and nonprofit land conservation organizations have preserved as open space;
2. a cost estimate for establishing a system to more accurately account for open space land by encouraging municipalities, water companies, and nonprofit land conservation organizations to voluntarily submit information about new acquisitions; and
3. recommendations for establishing such a system that consider the costs and benefits of having a state agency, public college or university, or a nongovernmental organization host and operate it.

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute

Yea 28 Nay 0 (03/21/2012)